

November 24, 2009

**Public Hearing-**

**Specific Use Permit:** Old Donation, Block 6, Lot 4, 5 & 6 (SUP09-0007)

**Owner(s):** Life-Changing Faith Christian Fellowship

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**DESCRIPTION:**

The request is for a Specific Use Permit for a Church on three lots on 0.5± acre on the southwest corner of Main Street and Seventh Street. Zoned Original Town Commercial with a Specific Use Permit for a Private Club (S-13) and for a Hotel/Motel (S-29). Neighborhood #20. JE

**REMARKS:**

Life-Changing Faith Christian Fellowship is requesting a Specific Use Permit for a Church on the property which contains the building formerly known as “The Abbey Texas Cafe”. This building, constructed in 1904, was originally occupied by the First Baptist Church of Frisco. The building does not have a Historic Landmark designation; however, it is recognized by the Heritage Association of Frisco with a marker. The applicant is proposing two phases of development: for Phase 1 (depicted in Exhibit B-1), they will occupy the building as it is now and for Phase 2 (depicted in Exhibit B-2) they are proposing to add 5,596 square feet to the building.

The SUP’s for a Private Club (S-13) and for a Hotel/Motel (S-29) for the restaurant and the bed and breakfast were approved in January 1994 and in October 1996, respectively. These uses are no longer in operation and will need to be rescinded if the SUP for the church is approved. Staff recommends that City Council initiate the process for rescinding the SUP’s when they hold their public hearing and direct staff to prepare the ordinance for the SUP for the church.

Zoning and land use of the surrounding properties are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Office/Retail	Original Town Commercial	Original Town Commercial
East	Retail	Original Town Commercial	Original Town Commercial
South	Public Parking Lot and Water Tower	Original Town Commercial	Original Town Commercial
West	Retail	Original Town Commercial	Original Town Commercial

The Zoning Ordinance lists four criteria to consider in determining the appropriateness of the SUP request. The following is the four criteria and staff's comments on each of the criteria.

1. Is the property harmonious and compatible with its surrounding existing uses or proposed uses?

The proposed church is located in the Original Town Commercial area along Main Street, a minor thoroughfare. The Original Town Commercial area is intended for a mixture of non-residential and residential uses. The surrounding uses vary from a restaurant and offices to other retail uses. The proposed use is compatible with the existing uses.

The Zoning Ordinance requires that 80% of the façade of new structures in the Original Town Commercial District be constructed on the property line. The Zoning Ordinance also gives developers the option to set back a building and provide a pedestrian area that will be a benefit to the public realm. Parking and drive aisles are prohibited in this pedestrian area. For the Phase 2 construction, the applicant will be removing all the asphalt paving, drive aisle and parking spaces and replacing it with concrete, brick pavers and landscaping (See Exhibit C). Staff has agreed to allow this area to be used as a drive aisle for drop-off/pick-up only as long as the church is in operation. Staff feels that it will allow for better circulation during the times the church is holding service and will provide a safer place for children, disabled or elderly to be dropped off and picked up. In the future, if this property were to be used for retail/restaurant/office, this area will no longer be used for pick-up/drop-off, but rather as open space where tables and chairs can be set out.

The proposed façade on the building addition for Phase 2 does conform to the Downtown Architectural Guidelines while at the same time incorporating elements and materials of the existing structure.

2. Are the activities requested by the applicant normally associated with the requested use?

The activities requested by the applicant are normally associated with a church use. The church will have a main sanctuary of 2,370 square feet for Phase 1 and will increase to 2,582 square feet for Phase 2. Church services will generally be held on Sunday mornings from 10:00 am to 12:15 pm and Wednesdays from 7:30 to 9:00 pm.

3. Is the nature of the use reasonable?

A church at this location is reasonable as the applicant has provided the required parking on site for Phase 1 and will be using the public parking lot adjacent to their property for Phase 2. The church is surrounded by retail and office uses. The hours of church services will be held (Sunday mornings and Wednesday evenings) when the peak parking hours for the surrounding businesses will not conflict with the church's hours of operation. Having a church at this location will also bring a diverse group of patrons to area businesses.

4. Has any impact on the surrounding area been mitigated?

The proposed church meets the parking requirement per City standards. There is a Downtown Public Parking Lot to the south of the proposed church and on-street parking on Main Street that will meet their parking needs.

The applicant is proposing to remove a 20-inch Oak Tree during their Phase 2 construction. Mitigation for removal of this protected tree will be required at the time a site plan and plat are submitted.

The applicant held a meeting with the Downtown Merchants Association regarding their proposed church. The Downtown Merchants Association did not have any concerns regarding the proposed church except that they would prefer to see more businesses and retail establishments that generate economic activity in Downtown.

**SUMMARY:**

In staff's opinion, the request meets all four criteria for approval of a Specific Use Permit. Staff recommends approval of the request.

**RECOMMENDATION:**

Recommended for approval subject to rescinding the Specific Use Permits for a Private Club (S-13) and for a Hotel/Motel (S-29).